

**ZONING BOARD OF ADJUSTMENT
TOWNSHIP OF WEST ORANGE**

JOSE DE OLIVEIRA

Block 55.06, Lot 1.01

31 Bradford Avenue

Case No. ZB-23-11

Resolution No. _____

**RESOLUTION MEMORIALIZING
DISMISSAL OF APPLICATION WITHOUT PREJUDICE**

WHEREAS, on November 18, 2023 **JOSE DE OLIVEIRA** (the "Applicant"), made an application to the Zoning Board of Adjustment of the Township of West Orange (the "Board") for relief under N.J.S.A. 40:55D-70(c) and to permit new retaining walls in excess of 6 ft. on the property identified on the Official Tax Map of the Township of West Orange (the "Township") as Lot 1.01 within Block 55.06, more commonly known as 31 Bradford Avenue, West Orange (the "Property"); and

WHEREAS, the application has been adjourned numerous times over the past year; and

WHEREAS, Section 5.02 of the 2024 Rules of the Board provides the Board with authority to dismiss applications for failure to prosecute said application; and

WHEREAS, the application before the Board meets the standards for Section 5.02 dismissal without prejudice.

NOW, THEREFORE, BE IT RESOLVED, that the application of **JOSE DE OLIVEIRA** is hereby dismissed without prejudice, subject to the following condition:

The Applicants shall post sufficient funds with the Township to satisfy any deficiency in the Applicant's escrow account. Any remaining escrow balance shall be returned to the Applicant within 30 days of the adoption and memorialization of this resolution.

ROLL CALL VOTE:

	Adoption and Memorialization of Resolution Date: <u>August 15</u> , 2024					
Member	Motion	2nd	Aye	Nay	Abstain	Absent
Neuer	x		x			
Schwarzbaum						
Barbee			x			
Eben			x			
Ricci			x			
Scott			x			
Weiss			x			
Dannemiller						-
Scalora						
Sussman		x				

The foregoing is a true copy of a Resolution adopted by the Zoning Board of Adjustment of the Township of West Orange at its meeting of August 15, 2024.

Diana Lyn Chandler

Diana Chandler-Zimmermann, Secretary
ZONING BOARD OF ADJUSTMENT
OF THE TOWNSHIP OF WEST ORANGE,
COUNTY OF ESSEX,
STATE OF NEW JERSEY

Dated: August 15, 2024